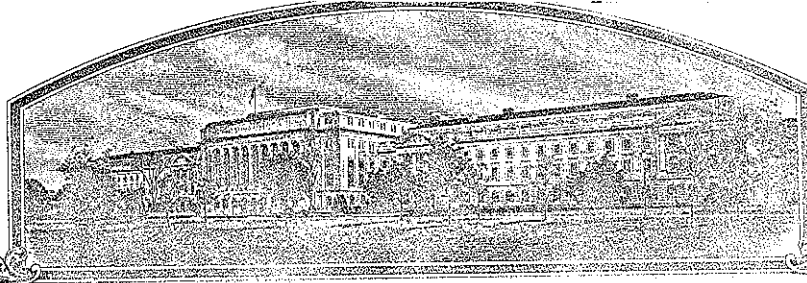


No.

8000095



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Asgrow Seed Company

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *seventeen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (U.S.C. 1930, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

LETTUCE

'Redhead'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington this 18th day of December in the year of our Lord one thousand nine hundred and eighty.

Attest:

Emanuel M. Z...
Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Robert B. ...

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION

FORM APPROVED
OMB NO. 40-R3822

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1a. TEMPORARY DESIGNATION OF VARIETY XP438		1b. VARIETY NAME <i>Redhead</i> <i>cfB per letter rec'd 11/10/80</i>		FOR OFFICIAL USE ONLY PV NUMBER 8000095	
2. KIND NAME Lettuce		3. GENUS AND SPECIES NAME Lactuca Sativa		FILING DATE 4/30/80	TIME 12:00 <i>(P.M.)</i>
4. FAMILY NAME (BOTANICAL) Compositae		5. DATE OF DETERMINATION April 1968		FEE RECEIVED \$ 500.00 \$ 250.00	DATE 4/30/80 7/10/80
6. NAME OF APPLICANT(S) Asgrow Seed Company		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 9620-190-1 Gull Road Kalamazoo, MI 49001		8. TELEPHONE AREA CODE AND NUMBER 616-385-6605	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Asgrow Seed Co. (Subsidiary of Upjohn Co)			10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION Delaware, March 22, 1968		11. DATE OF INCORPORATION March 22, 1968
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: J.A. Batcha 9620-190-1 Kalamazoo, MI 49001					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☒ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- ☒ 13B. Exhibit B, Novelty Statement.
- ☒ 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- ☐ 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.) ☐ YES ☒ NO

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ YES ☐ NO

14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? ☒ YES ☐ NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

March 17 1980

(DATE)

John A. Batcha

(SIGNATURE OF APPLICANT)

John A. Batcha

(DATE)

(SIGNATURE OF APPLICANT)

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

Asgrow Seed Company
Lettuce XP438 'Redhead' *exp 11/10/80*
Plant Variety Protection Application
March 17, 1980

8000095

EXHIBIT A

'Redhead'
(XP438) originated from a cross made in 1960 between the varieties Prizehead and Ruby. Selection for heavy anthocyanin pigmentation on the outer leaf margin while still remaining a nice bright light green inner leaf, was made through the F₇ generation when it was determined that a uniform highly desirable line had been developed.

'Redhead'
(XP438) is uniform and stable. This has been established by observing plantings of at least 4 different seed increases where variability was well within commercially accepted limits.

8000095

EXHIBIT B

Novelty Statement

To our knowledge (XP438) lettuce is most similar to Prizehead.
Characteristics which make (XP438) different include but are
not necessarily restricted to the following:

Bolting: Under summer growing conditions (XP438) produces
a seed stalk about 7 days later than Prizehead.

Pigmentation: (XP438) has red pigmentation on the stem while
Prizehead does not.

Other differences observed between the two varieties include a
more intense red pigmentation on the outer one half leaf on
'Redhead' (XP438) plus a slightly frillier leaf margin for (XP438).

'Redhead'

OBJECTIVE DESCRIPTION OF VARIETY
(LETTUCE)

INSTRUCTIONS: See reverse.

NAME OF APPLICANT(S) Asgrow Seed Company	FOR OFFICIAL USE ONLY PVPO NUMBER 297 - 1 - 8000095
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 9620-190-1 Gull Road Kalamazoo, Michigan 49001	VARIETY NAME OR TEMPORARY DESIGNATION <XP438> 'Redhead' cbs. 1/10/80

Place the appropriate number that describes the varietal character of this variety in the boxes below.

1. PLANT TYPE: <div style="display: flex; justify-content: space-between;"> <div> <input type="text" value="1"/> <input type="text" value="0"/> 10 = CUTTING (Leaf) 20 = STALK 50 = BUTTERHEAD 60 = LATIN 70 = OTHER (Specify) _____ </div> <div> 30 = COS 31 = SELF-CLOSING GROUP 32 = LOOSE-CLOSING GROUP </div> <div> 40 = CRISPHEAD 41 = IMPERIAL GROUP 42 = GREAT LAKES GROUP 43 = VANGUARD 44 = NEW YORK GROUP </div> </div>	
2. SEED COLOR: <input type="text" value="1"/> 1 = WHITE 2 = BLACK 3 = YELLOW	3. ANTHOCYANIN: <input type="text" value="2"/> 1 = ABSENT 2 = PRESENT
4. LEAF CONTAINING ANTHOCYANIN: <input type="text" value="5"/> 1 = COVERED 2 = SPOTTED 3 = ALONG MARGIN 4 = ABSENT 5 = OTHER (Specify) Outer one-half	
5. LEAF SURFACE TEXTURE: <input type="text" value="2"/> 1 = SMOOTH 2 = BLISTERED	6. LEAF SURFACE REFLECTANCE: <input type="text" value="2"/> 1 = DULL 2 = GLOSSY 3 = OTHER (Specify) _____
7. LEAF MARGIN: <input type="text" value="2"/> 1 = STRAIGHT 2 = WAVY 3 = CURLED	<input type="text" value="2"/> 1 = ENTIRE 2 = DENTATE 3 = INCISED 4 = DEEPLY INCISED 5 = OTHER (Specify) _____
8. LEAF SHAPE: <input type="text" value="1"/> 1 = ROUNDED 2 = POINTED	<input type="text" value="3"/> 1 = BROADER THAN LONG 2 = LONGER THAN BROAD 3 = OTHER (Specify) equal
9. LEAF COLOR: (See reverse.) <input type="text" value="1"/> 1 = RED 2 = REDDISH-BROWN 3 = YELLOW 4 = YELLOWISH-GREEN 5 = GREYISH-GREEN 6 = BLUE-GREEN 7 = DARK-GREEN 8 = VERY DARK GREEN	
10. HEADS: <input type="text" value="5"/> 1 = SPHERICAL 2 = FLATTENED 3 = ELONGATE 4 = POINTED 5 = NON-HEADING	11. PLANT SIZE: (See reverse.) <input type="text" value="2"/> 1 = SMALL 2 = MEDIUM 3 = LARGE
12. CULTURE: <input type="text" value="3"/> 1 = SUMMER CROP 2 = WINTER CROP 3 = NOT SPECIFIC 4 = UNDER GLASS 5 = OTHER (Specify) _____	
13. SIZE OF 10-DAY OLD SEEDLING GROWN UNDER CONSTANT LIGHT (Growth Chamber) AT 25° C.: (Place a zero in first box (i.e. 012)) when size is 9 mm. or less.) <input type="text" value="2"/> <input type="text" value="0"/> mm. LENGTH OF SEEDLING <input type="text" value="1"/> <input type="text" value="5"/> mm. LENGTH OF COTYLEDON <input type="text" value="0"/> <input type="text" value="5"/> mm. WIDTH OF COTYLEDON	
14. DISEASE RESISTANCE TO: (Enter zeroes in box(es) where there is no special disease resistance.) <div style="display: flex; justify-content: space-between;"> <div> <input type="text" value="0"/> 1 = TIPBURN <input type="text" value="1"/> 2 = MOSAIC <input type="text" value="0"/> 3 = DAMPING OFF <input type="text" value="0"/> 4 = DOWNY MILDEW <input type="text" value="0"/> 5 = SCLEROTINIA ROT <input type="text" value="0"/> 6 = BROWN BLIGHT <input type="text" value="0"/> 7 = BIG VEIN <input type="text" value="0"/> 8 = OTHER (Specify) _____ </div> <div> 0 Not tested 1 Susceptible 2 Resistant </div> </div>	
15. OUTLINE THE FOURTH LEAF: (For standardization purposes, the fourth leaf should be taken from a 20-day old plant grown under constant light.)	

See sheets

16. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER		NAME OF VARIETY				
Leaf color		Prizehead				
Leaf pigmentation		Prizehead				
Leaf shape		Prizehead				
Plant size		Prizehead				
Head size		Prizehead				
VARIETY	NO. OF DAYS TO HEAD MATURITY UNDER WINTER CROPPING	LOCATION	NO. OF DAYS TO HEAD MATURITY UNDER SUMMER CROPPING	LOCATION	NO. OF DAYS TO SEED STALK EMERGENCE UNDER SUMMER CROPPING	LOCATION
Submitted			60	San Juan Bautista, CA	63	San Juan Bautista, CA
Similar			60	San Juan Bautista, CA	71	San Juan Bautista, CA
Name of similar variety	Prizehead		Prizehead		Prizehead	

INSTRUCTIONS

GENERAL: The following publications may be used as a reference aid for completing this form:

1. C. M. Rodenburg, 1960, Varieties of Lettuce, An International Monograph, Instituut Voor de Veredeling van Tuinbouwgewassen, Wageningen, Holland.
2. L. L. Morse, 1930, Field Notes on Lettuce, published by Ferry-Morse Seed Co.

LEAF COLOR: Nickerson's or any recognized color fan may be used to determine the leaf color of the described variety. The following lettuce varieties may be used as a guide to identify the eight colors listed on the form.

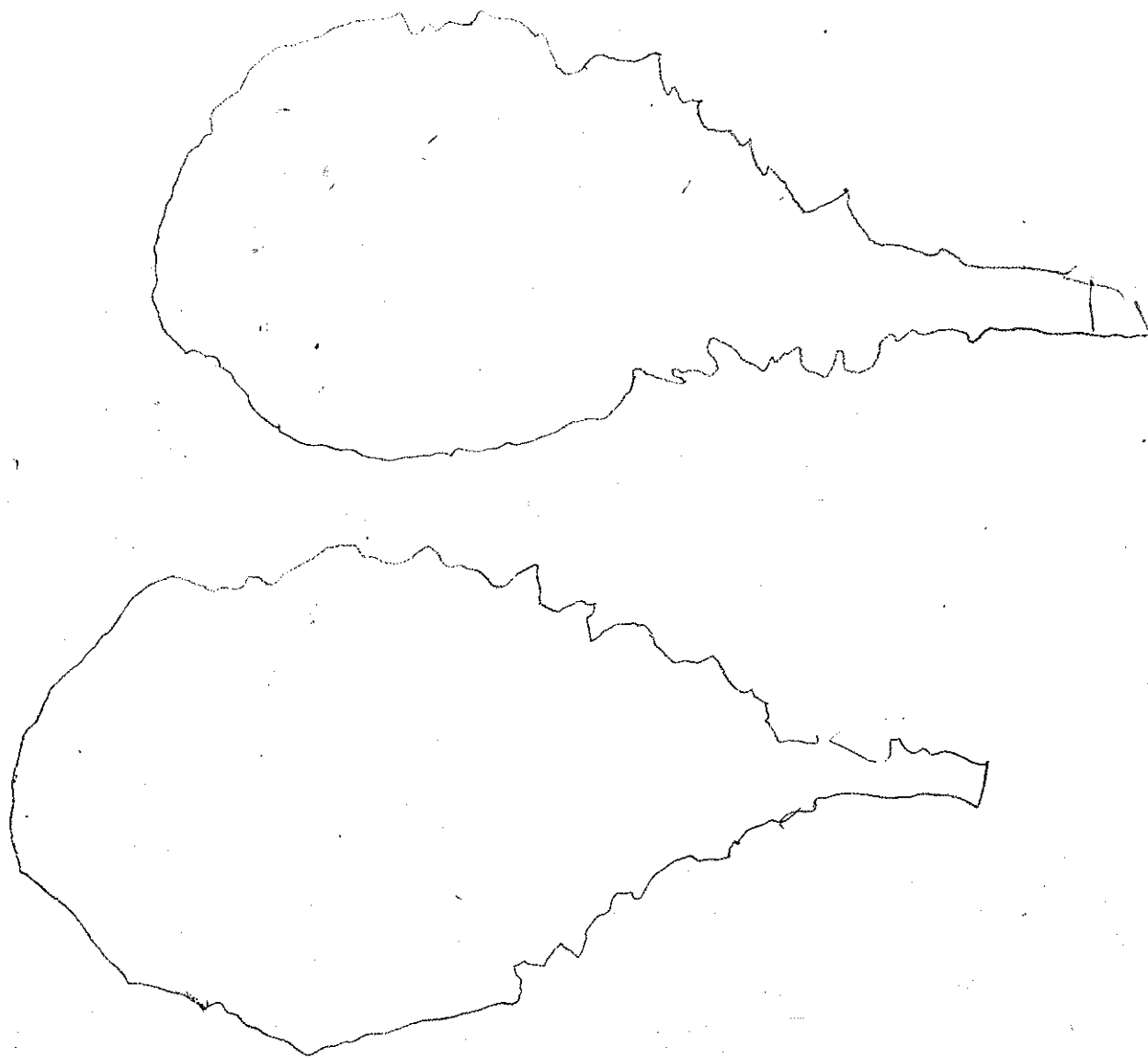
<u>Color</u>	<u>Variety</u>
Red	"Salad Trim"
Reddish-brown	"Ruby"
Yellow	"Salad Bowl"
Yellowish-green	"Oakleaf"
Greyish-green	"White Boston"
Bluish-green	"Bibb"
Dark-green	"Imperial" group
Very dark green	"Deer Tongue"

PLANT SIZE: The following varieties may be used as a guide to identify the plant type size:

TYPE	COMPARABLE VARIETIES		
	SMALL	MEDIUM	LARGE
Cutting (leaf)	Boston-Curled	Prize Head	Grand Rapids
Stalk (stem)	Celtuce	--	--
Cos	Express	Parris Island	Giant White
Crisphead	Mignonette	Hanson (Merit)	Climax
Butterhead	Tom Thumb	Big Boston	Mammoth Butter
Latin	Sucrine	Creole	Deer Tongue

Asgrow Seed Company
Lettuce XP438 'Redhead' cnB11/10/80
Plant Variety Protection Application
March 17, 1980

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Asgrow Seed Company
Lettuce XP438 'Redhead' *CSB 1/10/80*
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80000695

